

Statement of the
Honorable Frank Ruddy,
former Deputy Chairman,
Referendum for Western Sahara
(MINURSO Peacekeeping Operation),
before the Subcommittee on
Africa and Human Rights,
Committee on International Relations

United States House of Representatives

November 17, 2005

Mr. Chairman, Committee Members, I spoke in this building 10 years ago thanks to the late Chuck Lichenstein, a former U.S. ambassador to the U.N. and deputy to Jeane Kirkpatrick. He felt so strongly about my message that he gave me his place to speak on that day's panel.

In 1993 the U.N. hired me to run the referendum in Western Sahara. I thought they were serious. Maybe they were at the time, but the referendum was, and continues to be, one of those colossal flops that makes the U.N. appear ridiculous in the eyes of so many.

The U.N.'s task was simple enough: Hold a referendum to allow the people of Western Sahara to decide whether to be independent or part of Morocco. Or so it seemed. In the event, however, the U.N. turned over control of the referendum to Morocco. There really is no other way of describing what happened. Morocco dictated the where and when of the voting registration, controlled entry to the U.N. registration facilities, and even decided which Western Saharans got to register.

Moroccan observers at the voter registration sessions had observed quite accurately that the people of Western Sahara wanted independence, not integration with Morocco. The way for Morocco to deal with that unpleasant reality was to postpone the referendum indefinitely until it appeared unworkable, leaving Morocco just where it was, controlling Western Sahara.

Towards the end of my year in Western Sahara, I was instructed to make my reports jointly to the U.N. Secretary General's representative and the Moroccan representative. There was no longer even the pretense of an independent U.N. mission in Western Sahara.

What I described in Western Sahara was not some personal insight. Morocco's abuse of the people of Western Sahara and its manipulation of the U.N. mission in Western Sahara was open and notorious. The U.N. mission was a laughing stock at diplomatic cocktail parties in Rabat. The U.S. Station Chief in Rabat asked me during the 4th of July festivities whether the Moroccans had bought off the head of our mission or was he just

that blankety blank weak. The mission's abandonment of a free and fair referendum was common knowledge to all the peacekeeping soldiers assigned to the mission as well as to the U.N. staff. That is the reason Chris Hedges of *The New York Times* had no trouble exposing the referendum for the sham it was in his March 1995 article. Similarly, in that same year, Human rights Watch was able to publish a damning 40-page report on the Moroccan-dominated referendum.

One is justified, I think, in being cynical in the face of the U.N.'s high falutin language and do-nothing results, but when it was announced that former Secretary of State Baker was undertaking to get this referendum back on track, I was impressed. More than impressed. I was hopeful for the first time in a very long time. I attended the Capitol Hill conference he held, and I eagerly read the reports of his meetings in Morocco, Algeria, Lisbon and London. He would resolve the impasse or, as he said, he would at least identify who was holding up the referendum. He was the great hope for a peaceful settlement.

We now know that Secretary Baker has not only failed to get the referendum back on track and failed to identify who is holding up the referendum. He proposed a five-year period of so-called autonomous rule by the Western Saharans, under the benevolent eye of the Moroccans, of course, to be followed by a referendum. If, after 10 years and more than \$500 million spent, the U.N. was unable to hold a simple referendum, what kind of quixotic reasoning could justify putting one's faith in some other referendum five years hence, during which time the Moroccans continue to run rings in Western Sahara? The Baker proposal was so clearly in Morocco's favor that no one expected the Saharawis to accept it. But amazingly they did, in a gesture of conciliation. The Moroccans, for whom the proposal was a leontine pact, rejected it. Go figure. A member of the panel, Toby Shelley, can provide much more information on why the Baker plan failed.

A famous Roman talked of the discrepancy between great expectations and meager results: "The mountains are in labor, and a mouse is brought forth." We expected a great diplomatic

coup from Secretary Baker's intervention but, sadly, he has presented us with a diplomatic mouse.

It is appropriate that we meet here this month because we recognize, we can hardly say celebrate, the 30th anniversary of Morocco's invasion of Western Sahara. We can't say celebrate unless we celebrate Germany's Anschluss of Austria, which, as the British journal *The Economist* said, Morocco's invasion most resembles.

One point I made 10 years ago was the great waste of money in the referendum, then estimated at \$100,000 a day. At that time, this was a scandalous amount. Today, after the Volcker Report on the U.N. Oil for Food Scandal, it is chicken feed. But there are some similarities.

Kofi Annan, who as Secretary General presided over the Oil for Food Scandal, was head of U.N. peacekeeping and therefore Minurso, and he exhibited this same management dereliction vis-a-vis the waste of money in MINURSO as he would later be documented in the Volcker Report.

What I had observed in MINURSO can be summarized briefly, and you can decide for yourselves whether it was in Kofi Annan's words "not serious," or very serious indeed. What I described 10 years ago was later verified by Human Rights Watch, Amnesty International, various journalists, including *The New York Times*, *The Economist*, and on and on.

MINURSO:

In 1994, our State Department nominated me to help run a referendum in a U.N. mission called MINURSO in a no-man's land called Western Sahara, located just where the name suggests. The referendum was to let 100,000 people living there decide whether to be an independent state or part of Morocco. If ever there was a job ready-made for the U.N., this was it, or so it seemed. The referendum was originally scheduled for January 1992, and even today, 13 years and over a half billion dollars later, the referendum is dead in the water, or rather in the hot Saharan sand, but the U.N., like the Energizer, Bunny, just keeps going and going and going, pouring millions of dollars each month

into a mission that is doing so little that if all of its employees went on strike, no one would notice.

Worse than the extravagant waste of money on this mission over the years in the U.N.'s duplicity in managing it: the U.N. has sold out the nobodies, the 100,000 Saharans for whose right to self-determination the referendum was to be held, to keep favor with a somebody, King Hassan II of Morocco, who invaded Western Sahara 30 years ago, lost his claim to the territory in the World Court, and ordered his old chum and fellow North African, Boutros Boutros-Ghali, to provide a U.N. fig leaf to cover Morocco's naked aggression and occupation of Western Sahara. And this is an important point. To hear the Moroccans tell it themselves, or through their million dollar K Street lobbyists, the World Court ruled in Morocco's favor back in 1975. The Court did no such thing, and I invite all of you to read the decision. The Court said two things. Morocco's historical ties with Western Sahara were not sufficient to establish sovereignty over the area, and the referendum first envisioned by the Spanish should go forward.

WHAT WENT WRONG IN THE REFERENDUM:

Our own (Identification Commission) Arabic speakers came to me to report that Sahrawis coming in for what is called identification were complaining to them (in Hassania, the local Arabic dialect) that members of their families and friends had filled out applications at the Moroccan-run centers but did not appear on the list of people to be identified, and hence were disenfranchised. Others complained that relatives and friends were on the list to be identified, but the Moroccans refused to put them on the van. Let me explain: Only those local people who are cleared by the Moroccans were permitted to enter the MINURSO Identification center, or the U.N. offices at all, for that matter. The police kept everyone else away. People coming to be identified on a given day can't just walk in. They are rounded up by the Moroccans at some central point and sent by van to the MINURSO identification center.) In this way, the Moroccans controlled who got identified. That's just not the way it's supposed to be, and that's not the kind of the process the U.N. is

supposed to be funding. All of this was reported within channels at MINURSO.

This is the same reason, by the way, we were unsuccessful in inviting Sahrawis to fill out voter application at our centers. Nobody was allowed anywhere near us without Moroccan Government approval.

One other observation: Some Sahrawis who reported what the Moroccans were doing to them asked that our U.N. people keep an eye out for them after they left, in case they disappeared. Many said they were scared for their lives if the Moroccans saw them talking to U.N. people. Others asked not to be recognized outside the U.N. center. Terrorized is not too strong a word; they were afraid. Their comments reminded me of nothing so much as South Africa in the early 70's when blacks would talk to you freely in the safety of the U.S. embassy, and then pretend they didn't know you as soon as they left.

Morocco didn't and doesn't want the referendum because the risks outweigh any possible gains. The status quo is not so bad. On the other hand, Morocco cannot afford to appear to be

the villain of the piece and will find the means to slow the process down until everyone is sick of it. I merely note that in December 1994, like something out of Moliere, Morocco halted the identification process for over a week, at a cost, once again, of \$100,000 per day, on the question of an adverb used in a schedule proposed by MINURSO. This resulted in an exchange of formal letters and a good deal of sophomoric quibbling. If Morocco had been interested in clarifying the matter, as opposed to simply delaying the process, it seemed to me it could have been done so in two minutes in a phone call or meeting with the native-French speaker, a former Togolese ambassador, who drafted the letter.

In the same month, the Moroccan liaison officer with MINURSO, Mohammed Azmi, bragged publicly to a group of MINURSO people in a bar that he alone was the one to decide whether identification would go forward the next day (it was then scheduled to resume) and, to prove his point, he picked up the phone (it was then about midnight) and, in front of everyone, cancelled the next week's identification sessions.

These are not the actions of people serious about getting the referendum on track or saving the U.N. money.

The identification process was supposed to begin on June 15, 1994, but the start was delayed two-and-a-half months, at a cost of millions of dollars, while the U.N., the POLISARIO and Morocco negotiated over what to call the O.A.U. representatives who were to come to observe the identification. The Moroccans had walked out of the O.A.U. years ago when it recognized the Sahrawi Arabic Democratic Republic created by the POLISARIO and now said they didn't want O.A.U. people in Western Sahara. The POLISARIO insisted the O.A.U. representatives were part of the referendum process and had to be there. In the end a compromise about what they were to be called was reached, and they were permitted to enter. The irony is that this had all been worked out in 1993 so there was no need, as far as any of us could see, except delay for the said of delay, to reinvent the wheel in 1994.

THUGGERY:

Each person who went before the Identification Commission got a receipt, and when the findings are made public, the persons who are found eligible were to vote turn those receipts in for a voter's card. What was happening in Laayoune is that Sahrawis returning from the identification centers on those same vans I was talking about earlier were being forced to turn in their receipts to the Moroccans before they could leave the vans. This opened up the very real possibility that the wrong people would be able to present receipts to get voter cards, i.e. voter fraud.

The identification process began in earnest on August 28, 1994, simultaneously in Western Sahara and Southern Algeria. One can say that surely, as of this date, MINURSO ceased to be a U.N.-run operation and became the instrument for Morocco's domination of the identification process.

You need government permission to buy space on Moroccan media, and Morocco had always denied MINURSO permission to buy space in the Moroccan newspapers or radio to alert people to register to vote and participate in the identification process. That was small potatoes compared to what was to come after August

28. Harold Macmillan once referred to how the Borgia brothers would take over a Northern Italian town. Watching the Moroccans at work, I thought of that description.

SOME FOR INSTANCES:

On August 27, the evening before the process began in Laayoune, the Moroccan Liaison with MINURSO upbraided the MINURSO Chief-of-Mission, Mr. Jensen, in a public dining room before Moroccans and MINURSO staff and directed him to remove all U.N. flags from the U.N. building where the identification was to take place, or he would close down the identification. Unfortunately, the Chief-of-Mission gave in and even the U.N. flag in the room where the opening ceremony was to place was removed. This shameful event was probably too embarrassing to report to U.N. Headquarters in New York. In any event, it never was.

During the days of the opening sessions in Laayoune, Moroccan "journalists" photographed and videotaped every minute of every day and took the picture of each Sahrawi who came to be identified. These "journalists" were, as our press

people and the head of our police observers (CIVPOL) noted, Moroccan state security people. The proof was that not one second of these hours of television coverage ever appeared on Moroccan television.

A few weeks later, telephone taps were found on local and all international lines at MINURSO headquarters. The taps went to a local Moroccan line. This was hushed up. There was no investigation, but the person most likely to have installed the taps was transferred immediately. Mail had regularly been tampered with, and rooms of MINURSO personnel were regularly searched. But this was a new wrinkle. Big Brother was now listening to, as well as watching, us.

In the following weeks, Morocco dictated even our work and flight schedules. When the Moroccan observers chose to be in Western Sahara, we worked. The Moroccans also insisted that U.N. planes fly empty, and at great expense, from Laayoune where the planes are based, across the desert to the POLISARIO camps at Tindouf in order to demonstrate their control of the process.

In Laayoune, the Moroccans treated the U.N. identification facilities as their own, running groups of visiting firemen in whenever they like and keeping the facilities open, if that's what it takes, to accommodate late arrivals. On one occasion, when the Moroccan liaison with MINURSO arrived at the identification center, he was furious to find he had to wait a few moments for the gate to be unlocked so he could enter what he called "chez moi," my place. And that is how the Moroccans have been permitted, through MINURSO timidity, to think of the U.N. facilities in Laayoune.

In summary, during my time in Western Sahara, Morocco conducted, without a raised eyebrow from Boutros-Ghali's handpicked representative who ran the referendum, a campaign of terror against the Saharan people. As noted earlier, I had not seen the likes of it since I observed the apartheid government in South Africa in action against blacks when I visited there with Roy Wilkins in the early 70's. Morocco did not simply influence the referendum -- they controlled it -- down to what days the mission worked. Morocco tapped U.N. phones, intercepted U.N. mail, and

searched the living quarters of U.N. staff with impunity. More importantly, the Moroccan authorities disenfranchised Saharan voters right and left and substituted Moroccan ringers in place of bona fide Saharan voters.

Outsiders like me, but also U.N. contract employees and veteran U.N. professionals, documented these outrages to Boutros-Ghali's representative in MINURSO, but they were never acted on. Boutros-Ghali's man did not have the ... gravitas (that wasn't my first choice) to take on the King's gangster-in-chief in Western Sahara, a charming and ruthless *flic*, like Captain Segura, Batista's police chief in Graham Greene's *Our Man in Havana*.

His inspection was a whitewash of the mission, as expected, but as unexpected, the inspection report was laughable, literally. One doesn't expect to find much mirth in U.N. documents, but this was an unintended exception. For example, Colonel Dan Magee, who commanded U.S. troops in MINURSO, had complained that a senior mission official was slandering U.S. troops, publicly referring to them all as "a bunch of thieves."

Magee thought the U.N. Inspector General would be interested to hear about that kind of bigotry. Magee was wrong. The Inspector General found that the senior mission official was in the habit of disparaging lots of nationalities, not just Americans, and concluded in his report that since the official was an equal-opportunity bigot, Magee didn't have a leg to stand on. Incredible. But, as Casey Stengle used to say, "You could look it up." Another MINURSO staffer, a Lebanese-American named Mari Hanna, was told by the Inspector General's man: "If you answer these questions truthfully, you'll never work for the U.N. again." She did answer truthfully, and as she declared in this building, she has been barred by the U.N. ever since.

The Security Council, under the leadership of Argentinean Ambassador Emilio Cardenas, rejected the Inspector General's Inspector Clouseau-like report within days of its appearance. According to *The Washington Post*, Ambassador Cardenas characterized the inspection report as "tall tales coming out of MINURSO," and the Security Council

sent its own team to the mission to find what the Inspector General should have found.

The reason the original inspection report was done so poorly was because, as he later acknowledged, the U.N.'s Inspector General really wasn't allowed to do a lot of inspecting. He was prohibited, for example, from looking into the possibility that Morocco was behaving improperly in the referendum because Morocco was a member of the club, of the U.N., and the U.N. Inspector General is not allowed to risk embarrassing a member state by investigating whether it was stealing the U.N.'s referendum. It was rather as if a special prosecutor, in carrying out his investigation, were prohibited from investigating possible felonies by his peers – anyone, let's say, who holds a high post in the federal government, because it might offend him. Absurd, but welcome to the U.N.

In October 1995, Human Rights Watch based in New York published its 38-page Report on MINURSO, and it is devastating, documenting blatant human rights violations and vote fraud

carried out right under the figurative nose of the mission. The mission and U.N., as expected, were in denial.

Perhaps the best “minute particular” of business-as-usual at the U.N. was being invited, and then uninvited, to address the 4th Committee of the U.N. General Assembly on October 12, 1995. That’s the committee on COLONIALISM! Does that tell you something? (Western Sahara, by the way is the world’s and Morocco’s last colony.) Boutros-Ghali personally intervened to see to it that the 4th Committee did not hear what I had to say about MINURSO. I was, I am told, the first person ever barred from speaking before that committee in the U.N.’s 50-year history, but, at least, I’m in good company. Boutros-Ghali also barred Chinese dissidents from even entering the U.N. I could at least get in – I just couldn’t say anything when I got there. But think about that the next time you hear some U.N. official talk about reforming the U.N. Boutros-Ghali prevented the 4th Committee, composed entirely of member states of the U.N., from hearing someone who just might have been able to tell them why they

were wasting a quarter billion dollars on a mission and referendum going nowhere.

One nice final touch about the U.N. that all of us U.S. taxpayers are supporting: When former U.S. Attorney General Dick Thornburgh was serving as Undersecretary for Management at the U.N., he submitted to Boutros-Ghali a report for streamlining the U.N., eliminating waste and fraud and saving hundreds of millions of dollars. Boutros-Ghali, as Thornburgh has stated publicly, had the report suppressed and the remaining copies shredded.

But I don't want to leave on a downer. I am not anti-Morocco. In many respects they have been a good ally. They even claim (erroneously) they were our first ally against the British. My problem with them is that in Western Sahara they have invaded illegally as Indonesia did in East Timor, and once there Morocco has behaved like gangsters, like the Mafia.

It is sad for me as an American to see in those countries where I have served, in Equatorial Guinea and Western Sahara, that our government is supporting the thugs who run those

places and ignoring the good people who want and deserve better.

We now have John Bolton at the U.N. He knows where the bodies are buried, and he is a no-nonsense law who worked on the Baker Plan with Secretary Baker. If there were ever a reason to hope for real reform in the U.N. and for a just settlement for Western Sahara, John Bolton is that reason.

Thank you very much.